

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Frank J. Cepek
Rebecca A. Cepek**
Debtor(s)

Bankruptcy Case No.: 15-24712-GLT
Issued Per 2/27/2020 Proceeding
Chapter: 13
Docket No.: 105 – 89
Concil. Conf.: February 27, 2020 at 11:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated October 17, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$965.00 as of March, 2020. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Feb. 27, 2020 at 11:00 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☒ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Claim No. 5 of IRS .
- ☒ H. Additional Terms: Counsel fees are payable per 12/2/2019 order.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

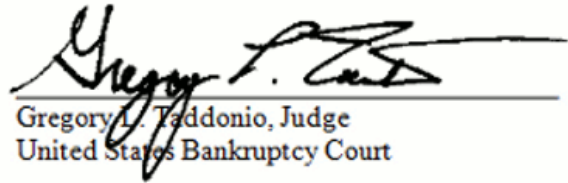
C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

- A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.
- B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).
- C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.
- D.** Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.
- E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.
- F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: February 28, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

Imaged Certificate of Notice Page 4 of 5

United States Bankruptcy Court
Western District of PennsylvaniaIn re:
Frank J. Cepek
Rebecca A. Cepek
DebtorsCase No. 15-24712-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dbas
Form ID: 149Page 1 of 2
Total Noticed: 42

Date Rcvd: Feb 28, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 01, 2020.

db/jdb
aty +Frank J. Cepek, Rebecca A. Cepek, 3525 Diploma Street, Pittsburgh, PA 15212-2269
+The Debt Doctors at Quatrini Rafferty, 941 Penn Avenue, Suite 101,
Pittsburgh, PA 15222-3843
aty +The Debt Doctors, LLC, 607 College Street, Suite 101, Pittsburgh, PA 15232,
UNITED STATES 15232-1700
cr +First National Bank of Pennsylvania, c/o Christine Lombardo, 4140 East State Street,
Hermitage, PA 16148-3401
cr +Specialized Loan Servicing LLC, 8742 Lucent Blvd, Suite 300, Highlands Ranch, CO 80129-2386
14189932 AMERICAN EXPRESS CENTURION BANK, C/O BECKETT AND LEE LLP, PO BOX 3001,
MALVERN, PA 19355-0701
14166966 Allegheny General Hospital, PO Box 644662, Pittsburgh, PA 15264-4662
14166967 +Allegheny Health Network, PO Box 645266, Pittsburgh, PA 15264-5250
14166969 +Allegheny Radiology Associates., Ltd., 651 S. Center Ave, Suite 102,
Somerset, PA 15501-2811
14166970 American Express, P.O. Box 1270, Newark, NJ 07101-1270
14166971 American Express, PO Box 981537, El Paso, TX 79998-1537
14166972 +BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
(address filed with court: Bank of America, P.O. Box 15019, Wilmington, DE 19886)
14219302 +Bank of America, N.A., P O Box 982284, El Paso, TX 79998-2284
14216546 CAPITAL ONE, N.A., C/O BECKETT AND LEE LLP, PO BOX 3001, MALVERN, PA 19355-0701
14166973 Children's Hospital of Pittsburgh, PO Box 382059, Pittsburgh, PA 15250-8059
14166974 CitiCards, PO Box 9001037, Louisville, KY 40290-1037
14166975 +Collection Service Center, P.O. Box 560, New Kensington, PA 15068-0560
15183858 +Federal Home Loan Mortgage Corporation, as Trustee, Serviced by Select Portfolio Servicing,,
PO Box 65250, Salt Lake City, UT 84165-0250
14157777 +First National Bank, 4140 E. State Street, Hermitage, PA 16148-3401
14166979 +Lamont, Hanley & Assoc., 1138 Elm Street, P.O. Box 179, Manchester, NH 03105-0179
14166980 +MedExpress Billing, POB 719, Dellslow, WV 26531-0719
14166981 Nelnet, PO Box 82658, Lincoln, NE 68501-2658
14193765 +Pittsburgh Water & Sewer Authority, c/o Goehring Rutter & Boehm,
437 Grant Street, 14th Floor, Pittsburgh, PA 15219-6101
14166982 Quest Diagnostics, 875 Greentree Road, 4 Parkway Center, Pittsburgh, PA 15220-3610
15000750 +Specialized Loan Servicing LLC, 8742 Lucent Blvd, Suite 300,
Highlands Ranch, Colorado 80129-2386
14166983 +State Collection Service Inc., P.O. Box 6250, Madison, WI 53716-0250
14166985 Target, PO Box 660170, Dallas, TX 75266-0170
14166988 UPMC Physician Services, P.O. Box 371980, Pittsburgh, PA 15250-7980
14176113 Wells Fargo Bank N.A., d/b/a Wells Fargo Dealer Se, PO Box 19657, Irvine, CA 92623-9657
14237957 +Wells Fargo Bank NA,, Attention: Bankruptcy Department, MAC# D3347-014,
3476 Stateview Boulevard, Fort Mill, SC 29715-7203
14157779 +Wells Fargo Bank, NA, 1000 Blue Gentian Road, MAC: X9998-018, Saint Paul, MN 55121-1663
14157780 Wells Fargo Home Mortgage, PO Box 11701, Newark, NJ 07101-4701

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr E-mail/PDF: rmscedi@recoverycorp.com Feb 29 2020 03:17:36
Recovery Management Systems Corporation, 25 S.E. Second Avenue, Suite 1120,
Miami, FL 33131-1605
cr +E-mail/Text: jennifer.chacon@spservicing.com Feb 29 2020 03:11:52
SELECT PORTFOLIO SERVICING, INC, PO Box 65250, Salt Lake City, UT 84165-0250
14166976 +E-mail/Text: mrdiscen@discover.com Feb 29 2020 03:09:05 Discover, PO Box 71084,
Charlotte, NC 28272-1084
14161565 E-mail/Text: mrdiscen@discover.com Feb 29 2020 03:09:05 Discover Bank,
Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
14238927 +E-mail/Text: kburkley@bernsteinlaw.com Feb 29 2020 03:11:41 Duquesne Light Company,
c/o Peter J. Ashcroft,, Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,,
Pittsburgh, PA 15219-1945
14166977 E-mail/Text: sbse.cio.bnc@mail@irs.gov Feb 29 2020 03:09:22 Internal Revenue Service,
Centralized Insolvency Unit, PO Box 21126, Philadelphia, PA 19114-0326
14166978 +E-mail/Text: bncnotices@beckett-lee.com Feb 29 2020 03:09:15 Kohls Department Store,
PO Box 3115, Milwaukee, WI 53201-3115
14161462 E-mail/PDF: rmscedi@recoverycorp.com Feb 29 2020 03:16:31
Recovery Management Systems Corporation, 25 S.E. 2nd Avenue, Suite 1120,
Miami, FL 33131-1605
14166984 +E-mail/PDF: gecscdi@recoverycorp.com Feb 29 2020 03:16:16 SYNCB, PO Box 965005,
Orlando, FL 32896-5005
14174103 +E-mail/Text: electronicbkydocs@nelnet.net Feb 29 2020 03:10:37
U.S. Department of Education C/O Nelnet, 121 South 13th Street, Suite 201,
Lincoln, NE 68508-1911

TOTAL: 10

District/off: 0315-2

User: dbas
Form ID: 149

Page 2 of 2
Total Noticed: 42

Date Rcvd: Feb 28, 2020

***** BYPASSED RECIPIENTS (continued) *****

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Duquesne Light Company
cr Federal Home Loan Mortgage Corporation, as Trustee
cr Pittsburgh Water & Sewer Authority
cr Wells Fargo Bank, N.A.
14166989* +Wells Fargo, PO Box 1697, Winterville, NC 28590-1697
14166990* +Wells Fargo Bank, NA, 1000 Blue Gentian Road, MAC: X9998-018, Saint Paul, MN 55121-1663
14166991* Wells Fargo Home Mortgage, PO Box 11701, Newark, NJ 07101-4701
14166968 ##+Allegheny Imaging of McCandless, LLC, 651 S. Center Ave., Suite 102,
Somerset, PA 15501-2811
14166986 ##+TD Bank USA, 3701 Wayzata Blvd, Minneapolis, MN 55416-3440
14166987 ##+Transworld Systems, 5 Penn Center West, Ste 100, Pittsburgh, PA 15276-0126
14157778 ##+Wells Fargo, PO Box 1697, Winterville, NC 28590-1697
TOTALS: 4, * 3, ## 4

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner
shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social
Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required
by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Mar 01, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system on February 28, 2020 at the address(es) listed below:

James Warmbrodt on behalf of Creditor Federal Home Loan Mortgage Corporation, as Trustee for
the benefit of the Freddie Mac Seasoned Loans Structured Transaction Trust, Series 2019-3
bkgroup@kmlawgroup.com
Jeffrey R. Hunt on behalf of Creditor Pittsburgh Water & Sewer Authority jhunt@grblaw.com,
cnoroski@grblaw.com
Mario J. Hanyon on behalf of Creditor Wells Fargo Bank, N.A. pawb@fedpne.com
Matthew M. Herron on behalf of Attorney The Debt Doctors at Quatrini Rafferty
mmh@thedebtctors.com, hgs@thedebtctors.com;alb@thedebtctors.com
Matthew M. Herron on behalf of Joint Debtor Rebecca A. Cepek mmh@thedebtctors.com,
hgs@thedebtctors.com;alb@thedebtctors.com
Matthew M. Herron on behalf of Debtor Frank J. Cepek mmh@thedebtctors.com,
hgs@thedebtctors.com;alb@thedebtctors.com
Matthew M. Herron on behalf of Attorney The Debt Doctors, LLC mmh@thedebtctors.com,
hgs@thedebtctors.com;alb@thedebtctors.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Peter J. Ashcroft on behalf of Creditor Duquesne Light Company pashcroft@bernsteinlaw.com,
ckutch@ecf.courtdrive.com;acarr@bernsteinlaw.com
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 10